UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK LIANG YANG, Individually and on behalf of all others similarly situated, Plaintiffs, Vs. TRUST FOR ADVISED PORTFOLIOS, INFINITY Q CAPITAL MANAGEMENT, LLC, CHRISTOPHER E. KASHMERICK, JOHN C. CHRYSTAL, ALBERT J. DIULIO, S.J., HARRY E. RESIS, RUSSELL B. SIMON, LEONARD POTTER, and JAMES VELISSARIS, Defendants.

DECLARATION OF ROBERT SERIO PURSUANT TO LOCAL RULE 1.4

- I, Robert F. Serio, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:
- 1. Defendant James Velissaris is represented in this matter by Gibson, Dunn & Crutcher LLP ("Gibson Dunn"). Counsel of record for James Velissaris includes me and my colleagues, Reed M. Brodsky, Karin S. Portlock, and Lauren Myers.
- 2. On March 3, 2022, attorneys from Arnold & Porter Kaye Scholer LLP entered their appearance to represent James Velissaris.
- 3. Currently, the posture of the case is as follows: No answer has been filed, no dispositive motions have been filed, and no trial date has been set. The only current pending motion is a motion to appoint lead counsel filed by the Plaintiffs.
- 4. Because attorneys from Arnold & Porter Kaye Scholer LLP have appeared and will continue to represent James Velissaris in this action, withdrawal of myself, Mr. Brodsky, Mrs. Portlock, Mrs. Myers, and Gibson Dunn will not prejudice James Velissaris.

- 5. Gibson Dunn is not asserting a retaining or charging lien.
- 6. I respectfully request that the Court enter the accompanying Order allowing Gibson Dunn, Reed M. Brodsky, Karin S. Portlock, Lauren Myers and myself to withdraw as counsel of record for James Velissaris.

Dated: New York, New York March 10, 2022

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By: <u>s/Robert F. Serio</u>
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